

Swimming Pools

CHAPTER 19

SWIMMING POOLS

(NEW 1-17-72)

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SWIMMING POOLS

Article 1. In GeneralSec. 19-1 Title.

This ordinance shall be known as the Swimming Pool Ordinance of the Town of Vienna.

Sec. 19-2 Applicability.

This ordinance shall apply to the incorporated territory of the Town of Vienna, Virginia, and to all constructed swimming pools, and other bathing places of permanent or semi-permanent construction for the purpose of impounding water for the immersion or partial immersion therein of human beings.

Sec. 19-3 Purposes.

The primary purposes of this Chapter in its application to swimming pools and other bathing places are:

(a) To assure that the water in such swimming pools or other bathing places is sufficiently sanitary through proper treatment by approved chemicals to make it free from undue hazard to the health of its users and the citizens of the Town of Vienna, Virginia.

(b) To assure that the appurtenances of such swimming pools or other bathing places are so organized and operated that they promote and protect the safety of its users and of the citizens of the Town of Vienna, Virginia.

(c) To provide a means of insuring that these objectives are carried out and made effective both with respect to existing swimming pools and bathing places and for those which may be built in the future.

(d) To assure that new construction or installation of swimming pools shall have the benefit of this ordinance as a guide for persons interested in planning, organizing and building such swimming pools or other bathing places.

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Article 2. DefinitionsSec. 19-4 Definitions.

For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Where not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and vice versa. The word "shall" as used herein is mandatory and not merely discretionary.

Bathing Place: Any swimming pool of artificial construction and for use by the general public or the occupants or members of any institution, school, association, group, or tenants of a multiple family apartment building consisting of Ten (10) or more families and used exclusively by such families and their guests invited to use it without payment of any fee.

Family Pool: Any swimming pool of artificial construction which is of a permanent or semi-permanent nature used or intended to be used solely by the owner, and by guests invited to use it without payment of any fee or any such swimming pool exclusively owned by not more than ten (10) families and used exclusively by such families and their guests invited to use it without payment of any fee.

Health Officer: The Health Officer of the County of Fairfax, Virginia, or his designated representative.

Swimming Pool: An artificial, permanent or semi-permanent basin or tank including all appurtenant equipment, structures and facilities, for the purpose of impounding water to a depth of more than three (3) feet for the immersion or partial immersion therein of human beings.

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Article 3

Adoption of the Code of the County of Fairfax, Virginia

Sec. 19-5 Bathing Place.

All of the provisions of Articles 1 through 4 of Chapter 24 of the Code of the County of Fairfax, Virginia, are hereby adopted and made a part of this Chapter as fully as though fully set out herein and are hereby made applicable within the Town for swimming pools included in the definition of "Bathing Place" as set forth in Article 2.

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Article 4. Family Pools

Sec. 19-6 Applicability of Plumbing, Building, Electrical and Zoning Regulations to Construction of Pools.

In addition to the requirements of this Chapter, the requirements of Chapter 5 and Chapter 12 of the Ordinances of the Town of Vienna, Virginia, and Chapter 11 of the Code of the County of Fairfax, Virginia, shall also apply to the construction, maintenance and operation of swimming pools. The zoning requirements of Chapter 18, §§ 18-138.1, 18-140.1 and 18-141.1 of the Ordinances of the Town of Vienna, Virginia, shall also apply to family pools.

The structural and equipment provisions and requirements of this Chapter shall not apply to any family pool constructed or installed prior to the effective date of this Chapter except as follows:

(a) When any condition exists in such family pool that would endanger the health, safety or life of any persons, the Health Officer shall have the authority to order such family pool closed until such condition is corrected.

(b) When any alteration, placement or replacement of any major equipment is made in any such family pool. Any or all portions of the recirculation system are not considered major equipment.

(c) The provisions and requirements of this Chapter with respect to fences or other protective measures and standards of operation shall be complied with by all family pools regardless of date of construction or installation.

Sec. 19-7 Building Permits.

An application for a building permit shall be filed with the Zoning Administrator of the Town of Vienna, Virginia, before the construction, remodeling or major alteration of any family pool. After approval of the application by the Zoning Administrator and the Director of Public Works of the Town of Vienna, Virginia, the application will be filed by the applicant with the office of County Development of the County of Fairfax, Virginia. Plans and specifications shall have been approved by the Health Officer prior to the issuance of such permit.

Sec. 19-8 Authority of Health Officer to Order Pools Closed under Certain Conditions.

When the Health Officer finds that the provisions of this Chapter are not met or that any condition exists that endangers the life, health or safety of the users of any family pool, he may

order the facility closed until the condition is corrected.

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Article 5. Design and ConstructionSec. 19-9 Water Supply.

All water used in family pools shall be from an approved source. No piping arrangements shall exist which under any conditions will permit sewage or waste water to enter the family pool water system or water from the family pool to enter the make-up water supply.

Sec. 19-10 Water Discharge.

Water discharge from family pools shall not be permitted to enter the sanitary sewerage system of the Town nor to be discharged upon or across adjoining property.

Sec. 19-11 Location.

The location of a pool shall in no way hinder the operations for which it is designed nor adversely affect the bather's safety or water quality.

Sec. 19-12 Material.

Any materials which provide a tight tank with light color, smooth and easily cleaned surfaces may be used for family pool structure.

Sec. 19-13 Protective Measures.

It shall be unlawful for any person to construct, install or maintain a family pool without taking one or a combination of the following protective measures:

(a) Installation and maintenance of a woven wire, chain link, picket, solid board, or masonry fence, a building or a combination thereof, or a fence of similar construction which will be not less than four (4) feet in height above the ground nor more than two inches from the ground at the bottom which will reasonably serve to prevent the passage into the family pool area by children of less than six (6) years of age. Any entryway that may exist through such fence, other than through a dwelling shall be protected by a gate or door capable of being fastened by locking or by an interior latch. Where a fence is the protective measure, it may enclose the entire residential premises or only a portion thereof if it completely surrounds the family pool. Any gate or door therein shall be kept securely locked or latched when the pool is not under effective surveillance by a responsible person.

(b) Pool Cover. Installation and maintenance of any type of cover which will overspread the entire water area of a pool and which will support one hundred fifty (150) pounds. Where a cover is the protective measure, such cover shall be in place at all times when the pool

is not under effective surveillance by a responsible person.

Sec. 19-14 Steps and Ladders.

Two or more means of egress must be provided for all pools having a perimeter greater than one hundred (100) feet, and one egress for pools one hundred (100) feet or less. Treads of steps, ladders, or other means shall be of non-slip construction.

Article 6. Recirculation SystemsSec. 19-15 Recirculation System.

All family pools shall be equipped with a recirculation system consisting of pumps, hair and lint catcher, filters, disinfection equipment and necessary pipe connections to the inlets and outlets. The recirculation system shall be designed for at least an eight-hour turnover of the swimming pool water. Hair and lint catchers are not required where gravity filters are used.

All underground piping in the recirculation system shall be of a type approved for such use by the Health Officer.

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Article 7. Enjoyment of Property RightsSec. 19-16 Interference with Enjoyment of Property Rights Prohibited.

No bathing place or family pool shall be so located, designed, operated, or maintained as to interfere unduly with the enjoyment of their property rights by owners of property adjoining the family pool or located in the neighborhood.

Sec. 19-17 Shielding Lights.

Lights used to illuminate any bathing place or family pool shall be so arranged and shaded as to reflect light away from adjoining premises.

Sec. 19-18 Unnecessary Noise.

It shall be unlawful for any person to make, suffer to be made, continue or cause to be made or continued at any bathing place or family pool loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. In the operation of a bathing place or family pool, the use of, or suffering the use of, or operation of any radio, receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or any time with louder volume than is necessary for convenient hearing of the person or persons who are in the bathing place or family pool premises, shall be unlawful. Provided, however, that where the Board of Zoning Appeals of the Town of Vienna, Virginia, issues a Use Permit for a bathing place, compliance with the provisions of such Use Permit shall not be deemed to be a violation of this Chapter.

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